UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AUTHORS GUILD, DAVID BALDACCI, MARY BLY, MICHAEL CONNELLY, SYLVIA DAY, JONATHAN FRANZEN, JOHN GRISHAM, ELIN HILDERBRAND, CHRISTINA BAKER KLINE, MAYA SHANBHAG LANG, VICTOR LAVALLE, GEORGE R.R. MARTIN, JODI PICOULT, DOUGLAS PRESTON, ROXANA ROBINSON, GEORGE SAUNDERS, SCOTT TUROW, and RACHEL VAIL, individually and on behalf of others similarly situated, Plaintiffs, v. OPENAI INC., OPENAI LP, OPENAI LLC, OPENAI GP LLC, OPENAI OPCO LLC, OPENAI GLOBAL LLC, OAI CORPORATION LLC, OPENAI HOLDINGS LLC, OPENAI STARTUP FUND I LP, OPENAI STARTUP FUND GP I LLC, and OPENAI STARTUP FUND MANAGEMENT LLC, Defendants.	No. 1:23-cv-08292-SHS
JONATHAN ALTER, KAI BIRD, TAYLOR BRANCH, RICH COHEN, EUGENE LINDEN, DANIEL OKRENT, JULIAN SANCTON, HAMPTON SIDES, STACY SCHIFF, JAMES SHAPIRO, JIA TOLENTINO, and SIMON WINCHESTER, on behalf of themselves and all others similarly situated, Plaintiffs, v. OPENAI, INC., OPENAI GP, LLC, OPENAI, LLC, OPENAI OPCO LLC, OPENAI GLOBAL LCC, OAI CORPORATION, LLC, OPENAI HOLDINGS, LLC, and MICROSOFT CORPORATION, Defendants.	No. 1:23-cv-10211-SHS

**DECLARATION OF MICHAEL TRINH IN SUPPORT OF OPENAI DEFENDANTS'
MOTION TO SEAL PORTIONS OF THEIR OPPOSITION TO PLAINTIFFS' LETTER
BRIEF AND RELATED EXHIBIT**

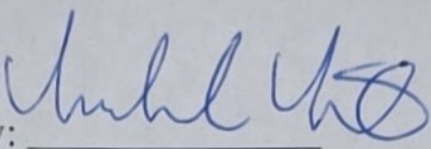I, Michael Trinh, hereby declare as follows:

1.   I am Associate General Counsel at OpenAI. I submit this declaration in support of OpenAI Defendants' Motion to Seal pursuant to Section IV of Your Honor's Individual Rules and Practices. I have personal knowledge of the facts set forth below and if called as a witness, could testify competently thereto.

2.   Defendants' letter brief opposing Plaintiffs' requests for production of documents on the Data Working Group incorporates the Declaration of Ashley Pantuliano, with its accompanying Exhibit C. Portions of the Pantuliano Declaration, as well as the entirety of Exhibit C, are designated "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" under the operative Protective Order in this case (ECF No. 148). The material contained within the Pantuliano Declaration and its accompanying Exhibit C is confidential because it reflects communications about forward-looking legal and business strategy and are governed by non-disclosure agreement obligations. OpenAI generally does not publicly disclose this type of information and takes steps to protect the confidentiality of this information, particularly given the highly competitive nature of the artificial intelligence industry with global stakeholders.

3.   The documents and communications described above, as well as summaries of or references to these documents and communications in OpenAI's briefing, reveal sensitive details about OpenAI's products and legal and business strategy during a critical time in the company's development. Disclosure of such documents or communications, or summaries of or references to such documents or communications, would cause competitive harm to OpenAI.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 22nd day of November 2024 in Redwood City, CA.

By: _____

Michael Trinh
Associate General Counsel
OpenAI